

SECRET

OLC RECORD COPY

OLC 78-3530/1

MR

12 December 1978

MEMORANDUM FOR THE RECORD

SUBJECT: GAO Meeting on Compartmented Clearances



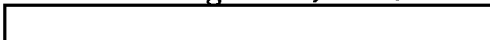
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1. A meeting was held today in Mr. Frederick P. Hitz's office from 1100 to 1130 hours with representatives of GAO to discuss the granting of compartmented clearances. In addition to Mr. Hitz and the undersigned the following attended:



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Frank C. Conahan, GAO
Jerome H. Stolerow, GAO
Richard W. Gutman, GAO
Martin Fitzgerald, GAO



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2. Mr. Conahan explained that compartmented clearances are required for Mr. Stolarow and Messrs. John Klotz and Charles Wolff, also of GAO, for access to compartmented Defense intelligence in connection with GAO's audit of Defense weapons systems for the House and Senate Armed Services and Appropriations Committees. It was agreed that we would contact Admiral Murphy's office, Assistant Secretary for Intelligence, to verify the need for the clearances and to initiate Defense security processing. We also reviewed the attached listing of GAO personnel granted compartmented clearances. Messrs. Wilbur Daily, Roger Carroll and Harold Rubin no longer require clearances. Mr. Conahan did not recognize Charles Wheeler as a GAO employee. We will verify the listing with Admiral Murphy's office.

X1

3. It was agreed that Mr. Conahan will serve as the GAO focal point in matters involving compartmented clearances as well as all other matters involving CIA.

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Assistant Legislative Counsel

Attachment

cc:

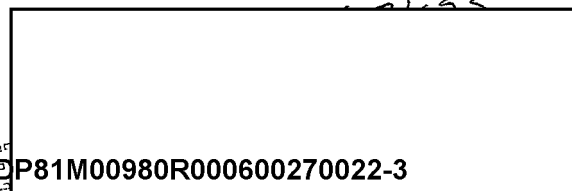
Walt Elder, Executive Secretary, NFIB
Special Security Center

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Distribution:

Orig - OLC Subject
1 - OLC Chrono

OLC:PLC: sf (14 Dec 78)



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AT TO : [redacted] LLM/FPH *see 12/11*

DATE OF REQUEST

FROM : PL *PL*

SUSPENSE DATE

SUBJECT: *[initials]*

NOTES

The attached concerns our meeting with Frank Conahan, GAO, and his people on granting GAO compartmented clearances for access to intelligence related to GAO's audit of DOD weapon systems.

I called [redacted] and he will attend or [redacted] if [redacted] is tied up. *He called back and Eldon was around.*

Conahan-is-to-be-called-to-set-up-the-meeting

I called Conahan and he can come out to meet in your office on Friday, 8 December, at 2:00 p.m.

COORDINATED WITH (list names as well as offices)

NAME	OFFICE	DATE
NAME	OFFICE	DATE
NAME	OFFICE	DATE
NAME	OFFICE	DATE

ACTION REQUIRED BY ~~XXX~~ LLM

Confirm meeting with Conahan

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Next 1 Page(s) In Document Exempt

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OLC: 78-2110/C

16 NOV 1978

Honorable Elmer B. Staats
Comptroller General of the
United States
General Accounting Office
Washington, D.C. 20548

Dear Elmer:

I have spoken with Harold Brown about the recent discussions you and I have had on compartmented clearances. Harold and I agreed that your people should have access to compartmented information when this is needed in the course of GAO inquiries requested by Congress.

In view of the sensitivity of the kinds of material likely to be involved, it would be best if compartmented access approvals were granted on a limited duration case-by-case basis.

We would, of course, appreciate your keeping the number of different individuals involved to the absolute minimum.

My Office of Legislative Counsel will be contacting your staff to work out specific arrangements.

Yours,

15/
STANSFIELD TURNER

Dist.:
Orig-Addressee
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1-DDCI
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OLC:GMC:mlg (30 Oct 1978)

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Next 3 Page(s) In Document Exempt

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EXECUTIVE SECRETARIAT

Routing Slip

TO:		ACTION	INFO	DATE	INITIAL
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SUSPENSE DATE:					

Remarks:

Per my conversation w/
SA/DCI.

Executive Secretary

[Signature]

Date



COMPTROLLER GENERAL OF THE UNITED STATES

WASHINGTON, D.C. 20548

OLC #78-2/10

June 1, 1978

Admiral Stansfield Turner
Director, Central Intelligence Agency
Washington, D. C. 20505

Dear Admiral Turner:

This letter is in further reference to informal discussions with you and Frank Carlucci as to the General Accounting Office's need for access to sensitive intelligence information and possible arrangements that would be mutually agreeable to permit both GAO and the intelligence community to fulfill their respective statutory responsibilities. I would like to share with you some of my thoughts and suggestions on how we might work more closely together when the need arises.

As you know, our experience in reviewing intelligence activities has over the years largely arisen from matters not directly related to intelligence collection, analysis, or dissemination. Instead, our experience has resulted from our need to corroborate information received from various agencies whose activities we were reviewing. Such activities have included defense procurements, international narcotics control, and matters in international trade and economies, among others. The second principal source of experience in this area resulted from a series of reviews conducted in response to congressional requests. With the creation of the permanent Select House and Senate Intelligence Committees, prospects for more congressional requests have increased.

As I mentioned to Mr. Carlucci, in reviewing Defense, NASA, State, and other programs for efficiency and effectiveness, as we are required by law to do, it is essential for us to have corroborative information that is available only within the intelligence community. In some instances intelligence material is an integral part of the files with which we must work. Without access to this material it would literally be impossible to carry out our responsibilities. We therefore need to maintain a line of communication and access that will permit us to consider all available information when making these reviews. Without such information we obviously run the serious risk of issuing less than complete and accurate reports. This is not to say that we will publish highly sensitive intelligence information in our reports, but we will at least have the benefit of knowing the full story in deciding what our positions should be and what we should and should not print.

As a practical matter, I know that protecting intelligence sources and methods is one of your most, if not the most, important concerns. Having worked with the budget of the intelligence community for several years while I was with the then Bureau of the Budget and having been responsible for dealing with highly classified material during my 12 years as Comptroller General and 5 years with the National Security Council, I fully appreciate your concern. Therefore, I have several suggestions that hopefully can form the basis for further discussion and ultimate agreement on working arrangements.

First, I will become personally involved in approving requests made by the General Accounting Office for compartmented intelligence information as well as requests for the necessary clearances. In my absence, Mr. Robert F. Keller, Deputy Comptroller General, will perform this function. As you know, I have already established a central point of liaison between GAO and the Central Intelligence Agency in the person of Mr. Frank Conahan, Associate Director of our International Division. His counterpart for liaison with your Agency is the Office of Legislative Counsel. I would propose to continue this central liaison arrangement, but of course with more direct involvement by myself and Mr. Keller.

There are a number of additional matters we would be willing to do to insure a mutually acceptable working arrangement. These could include formally, or informally, notifying you of work that will involve the intelligence community, including its scope, objectives, timeframes, type of information needed, and places and people we would want to visit. Maintaining close coordination with your designated liaisons during each review would be required. Furnishing draft reports for your classification, as well as for program review and comment, would be standard operating procedure. I might also reemphasize that a request for and use of documents during our work does not necessarily mean that information in the documents will be included in our final report. We would anticipate that in each case agreement would be reached on the extent to which sensitive material is to be included in our reports. Of course, your program comment and suggestions will also be made part of each GAO final report.

The above suggestions do not fully address the primary question of how we can be sure that sensitive intelligence information will not be released or otherwise compromised. I think a satisfactory answer to this question will require our collective thinking and I look forward to working together toward establishing formalized protection mechanisms. I would like to offer a few thoughts, however.

In the past we have agreed not to remove any intelligence documents from the premises of the agency involved. In other cases we have accepted briefings on the information we needed and only made spot checks of the supporting documentation to assure ourselves that the briefing information

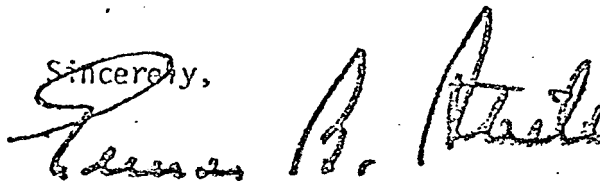
was supportable. In other instances we have deposited all our working papers, draft reports, and final reports with the intelligence agency involved. This precluded release of such information without the knowledge and consent of that agency. Other alternatives to insure protection of information contained in GAO reports are possible and we are open to your suggestions.

You may also be interested in how GAO would respond to requests from the Congress and its committees. As I mentioned earlier, one source by which we do reviews involving the intelligence community is the congressional request. I realize that there is no consensus on which committees of the Congress are entitled to intelligence information. However, we would attempt to perform work requested by committees that claim jurisdiction. Whether they have jurisdiction, and therefore access, would have to be worked out between you and the requesting committee before we would proceed. An extension of this is that GAO might receive requests from committees or Members to obtain intelligence documents or files which you otherwise may refuse to provide to such requesters. It is our policy not to serve as a conduit for such information and we will advise such requesters to deal directly with you and your offices in such cases.

In considering the above thoughts and suggestions, I would like to refer you to the "Hearing before the Select Committee on Intelligence, U.S. House of Representatives, Ninety-Fourth Congress, First Session, July 31, August 1, 4, 5, 6, 7, and 8, 1975, PART I." I believe this print puts into perspective GAO's past and prospective role in reviewing intelligence information.

I will be more than happy to meet with you and Frank to discuss these or other suggestions as to ways in which we can reach a mutually agreeable understanding. It is important that we do so.

Best wishes.

Sincerely,


Comptroller General
of the United States